

TITLE 6

LAW ENFORCEMENT¹

CHAPTER

1. POLICE AND ARREST.
2. WORKHOUSE.

CHAPTER 1

POLICE AND ARREST²

SECTION

- 6-101. Policemen subject to chief's orders.
- 6-102. Policemen to preserve law and order, etc.
- 6-103. Policemen to wear uniforms and be armed.
- 6-104. When policemen to make arrests.
- 6-105. Policemen may require assistance in making arrests.
- 6-106. Disposition of persons arrested.
- 6-107. Police department records.
- 6-108. Selection and training standards for police officers.

6-101. Policemen subject to chief's orders. All policemen shall obey and comply with such orders and administrative rules and regulations as the police chief may officially issue. (1984 Code, § 1-501)

6-102. Policemen to preserve law and order, etc. Policemen shall preserve law and order within the city. They shall patrol the city and shall assist the city court during the trial of cases. Policemen shall also promptly serve any legal process issued by the city court. (1984 Code, § 1-502)

6-103. Policemen to wear uniforms and be armed. All policemen shall wear such uniform and badge as the board of mayor and aldermen shall authorize and shall carry a service pistol and billy club at all times while on

¹See Ords. #1996-10 (May 1996), 2001-17 (Sept. 2001), 2001-19 (Oct. 2001), 2003-27 (Aug. 2003), and 2003-32 (Oct. 2003) of record in the recorder's office for ordinances entering into a mutual aid agreement regarding fire, police, public works service, and emergencies and natural disasters.

²Municipal code reference

Issuance of citations in lieu of arrest in traffic cases: title 15, chapter 7.

duty unless otherwise expressly directed by the chief for a special assignment. (1984 Code, § 1-503)

6-104. When policemen to make arrests. Unless otherwise authorized or directed in this code or other applicable law, an arrest of the person shall be made by a policeman in the following cases:

(1) Whenever he is in possession of a warrant for the arrest of the person.

(2) Whenever an offense is committed or a breach of the peace is threatened in the officer's presence by the person.

(3) Whenever a felony has in fact been committed and the officer has reasonable cause to believe the person has committed it. (1984 Code, § 1-504)

6-105. Policemen may require assistance in making arrests. It shall be unlawful for any person to willfully refuse to aid a policeman in making a lawful arrest when such a person's assistance is requested by the policeman and is reasonably necessary to effect the arrest. (1984 Code, § 1-505)

6-106. Disposition of persons arrested. Unless otherwise authorized by law, when a person is arrested for any offense other than one involving drunkenness he shall be brought before the city court for immediate trial or allowed to post bond. When the arrested person is drunk or when the city judge is not immediately available and the alleged offender is not able to post the required bond, he shall be confined. (1984 Code, § 1-506)

6-107. Police department records. The police department shall keep a comprehensive and detailed daily record in permanent form, showing:

(1) All known or reported offenses and/or crimes committed within the corporate limits.

(2) All arrests made by policemen.

(3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the police department. (1984 Code, § 1-507)

6-108. Selection and training standards for police officers. The following selection and training standards shall apply to any person employed as a police officer of the City of Waverly, Tennessee:

(1) Minimum selection standards. Any person employed as a police officer shall:

(a) be at least eighteen (18) years of age; and

(b) be a citizen of the United States; and

(c) be a high school graduate or possess equivalency; and

(d) not have been convicted of a felony or of a misdemeanor involving "moral turpitude" as the term is defined by the law of the State of Tennessee; and

(e) not have been released or discharged under any other than honorable conditions from any of the armed forces of the United States; and

(f) have his or her fingerprints on file with the Tennessee Bureau of Investigation; and

(g) have passed a physical examination by a licensed physician who shall certify that the person is physically able and qualified to perform the duties of a law enforcement officer; and

(h) have a good moral character as determined by a thorough investigation conducted by the chief of police of the City of Waverly and concurred in by the mayor of the City of Waverly; and

(i) be free of all apparent mental disorders as described in the Diagnostic and Statistical Manual of Mental Disorders, 3rd Edition, (DSM-11) of the American Psychiatric Association and who has been certified as meeting these criteria by a qualified professional in the psychiatric or psychological fields.

(2) Filing of applications and reviews. Any person desiring employment as a policeman of the City of Waverly shall file with the chief of police a written application in a form prescribed by the chief of police. Such written application shall be reviewed by the chief of police and the city manager of the City of Waverly who shall make recommendation to the mayor of the City of Waverly as to the advisability of the employment of such applicant as a policeman of the City of Waverly. In addition thereto the chief of police shall cause a determination to be made concerning the qualifications of such applicant according to the qualifications as established in this chapter and shall certify upon the application to the mayor of the City of Waverly that the applicant meets such qualifications. If the applicant shall not be so certified by the chief of police the reasons for the non-certification shall be stated by him for review by the mayor.

(3) Adoption of minimum standards. In addition to those qualifications required of a person before being employed as a police officer of the City of Waverly as provided in § 6-108(1) above such person shall also meet the minimum standards as may be duly adopted from time to time by the Peace Officer Standards and Training Commission pursuant to Tennessee Code Annotated, § 38-8-101, et seq. and which standards when so duly adopted shall become the minimum standards of the City of Waverly, Tennessee and are adopted herein by reference. A certificate duly issued by the Peace Officer Standards and Training Commission certifying that the person is in compliance with such standards shall be required prior to the employment of any person as a police officer of the City of Waverly.

(4) Requirement for recruit training. Subject to the availability of funds therefor all police officers of the City of Waverly, Tennessee employed by the City of Waverly, who shall not have previously undergone training as a recruit in the area of law enforcement and who shall not have available a certification of the satisfactory completion of an approved recruit training

program meeting the standards as adopted by the Peace Officer Standards and Training Commission, shall within two (2) years from the date of their employment successfully attend and complete a recruit training program in law enforcement meeting the standards as from time to time adopted by the Peace Officer Standards and Training Commission.

(5) Annual in-service training requirement. Subject to the availability of funds therefor all police officers of the City of Waverly shall within each calendar year attend and successfully complete annual in-service training sessions appropriate for the rank and responsibility of such police officer according to and pursuant to the minimum standards therefor as from time to time established by the Peace Officer Standards and Training Commission. (1984 Code, § 1-508)

CHAPTER 2

WORKHOUSE¹

SECTION

6-201. County workhouse to be used.

6-202. Inmates to be worked.

6-203. Compensation of inmates.

6-201. County workhouse to be used. The county workhouse is hereby designated as the city workhouse, subject to such contractual arrangement as may be worked out with the county. (1984 Code, § 1-701)

6-202. Inmates to be worked. All persons committed to the workhouse, to the extent that their physical condition shall permit, shall be required to perform such public work or labor as may be lawfully prescribed for the county prisoners. (1984 Code, § 1-702)

6-203. Compensation of inmates. Each workhouse inmate shall be allowed five dollars (\$5.00) per day as credit toward payment of the fines and costs assessed against him.² (1984 Code, § 1-703)

¹Charter reference
Workhouse: § 24.

²State law reference
Tennessee Code Annotated, § 40-24-104.